

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

PA ADVISORS, LLC

Plaintiff,

v.

GOOGLE INC., ET AL.

Defendants.

No. 2:07-cv-480-TJW

JURY TRIAL DEMANDED

**PLAINTIFF'S SUR-REPLY TO DEFENDANT YAHOO! INC.'S MOTION TO
DISMISS OR IN THE ALTERNATIVE, FOR MORE DEFINITE STATEMENT**

EXHIBIT A



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Happy 10th Birthday, Yahoo! Mail

Posted October 8th, 2007 at 10:32 am by [John Kremer](#), Yahoo! Mail

41 Comments / Filed in: [Trends & News](#)

Today marks a special milestone for Yahoo!. [Ten years ago today](#), Yahoo! Mail was born. It's hard to imagine that just a decade ago, the idea of free email accessible from anywhere was a novelty.

Think of how far we've come since then. Web mail now is one of the most popular ways to stay in touch. It's brought families closer together, let travelers send regards from the road, and made the concept of change-of-address notices virtually obsolete.

Ten years ago, Yahoo! Mail launched with just 3 megabytes of storage and the only images you were likely to receive were [ASCII Art](#). Today, JPEGs are by far the most popular attachment type in Yahoo! Mail. Ten years ago mobile phones were bulky, expensive luxuries that were basically used for one thing: to make important phone calls. These days, everyone from students to busy parents and grandparents use their cell phones to check email on the go. And ten years ago, many people didn't "get" Web mail or why they would need an address that wasn't tethered to their ISP. Now many use it as their primary personal mail address.

Since we're feeling nostalgic, we've put together some email milestones from the last decade:

- **October 1997:** Yahoo! Mail [launches](#) following our acquisition of Four 11, creators of [RocketMail](#).
- **December 1998:** The movie [You've Got Mail](#) debuts.
- **March 1999:** CNN's [Ten Commandments of Email](#) cites that Americans sent 2.1 billion emails daily (vs. [196 billion](#) per day this year).
- **December 1999:** Yahoo! Mail launches [Spamguard](#) to detect spam and banish it to a separate folder.
- **January 2000:** Web mail survives Y2K.
- **November 2001:** Pope John Paul II is the first pontiff to [send an email apology](#).
- **March 2002:** It's reported internationally that [email outpaces snail mail](#) as the preferred method for residential communication.
- **December 2003:** Congress passes the [CAN-SPAM Act of 2003](#) to regulate the sending of commercial email.
- **July 2004:** Yahoo! acquires [Oddpost](#), bringing AJAX to Yahoo! and inspiring Yahoo! Mail's most significant upgrade ever.
- **June 2005:** Broadway's "[Spamalot](#)" wins Tony Award for Best Musical.
- **March 2006:** [IDG study](#) shows that Americans sent 11.8 billion photos via email in 2005, compared with 2.6 billion in 2000. By 2009, this number is projected to 25.7 billion images.
- **March 2007:** Yahoo! Mail announces free, [unlimited e-mail storage](#) for all users.
- **August 2007:** According to [Comscore](#), the worldwide Web mail market counts approximately 543 million people, with Yahoo! Mail alone representing 255 million.



It's funny to reflect that when Rocketmail first started, many users chose to list their email addresses in a public directory because they wanted everyone to know how to contact them. Fast-forward to a world where we invest a huge amount of time and diligence protecting our users from spam (now estimated to represent [more than 70% of all email](#)) and phishing attacks.

So what about you? We put together a [brief survey](#) to find out how your email habits have evolved over the past 10 years. Please share your thoughts with us (or leave them as comments), and we'll be sure to report back on our findings later this month.

Until then, happy emailing!

John Kremer
Vice President, Yahoo! Mail

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41 Comments Add your own

 [GuillaumeB](#) | October 8th, 2007 at 12:43 pm


Quite exciting indeed!

Though I do wonder why you bought Oddpost in 2004 now that you have Zimbra. Throughout various rumors it seems the mail team has been shrinked.. I do wonder when / if you plan to work on the calendar/Notepad as well... That's really important for a large number of Yahoo Mail user. The power of Yahoo Mail really lied into this whole PIM solution.


Another thing/ What's the future of Yahoo Mail Plus. isn't it time to upgrade this subscription...?

Anyway Yahoo Mail is great and the final release is awesome :)

Keep up the good work.

 [nick](#) | October 8th, 2007 at 4:10 pm

Happy Birthday, I could of sworn you all were older, but than again, when you all came out, I had just graduated from High School and started college, so the period was kind of a blur. But the one standard in my online world all this time has been Yahoo Mail. I can't imagine being online with out it. Thanks for 10 years of great products, looking forward to many more decades of great things to come.

 [Richard Marqua](#) | October 8th, 2007 at 7:18 pm


You need see this:

“YAHOO/MSN MICROSOFT WINDOW DRAW 2007” Add to Address Book Add Mobile Alert
Subject: YOU WON OUR DRAWS REF: XYL /26510460037/07

INTERNATIONAL PROMOTIONS/PRIZE AWARD DEPARTMENT
REF: XYL /26510460037/07

Dear Lucky Winner, You have been sort as the winner of
YAHOO/MSN & MICROSOFT DRAW WINNER
of the amount of £550,000
(FIVE HUNDRED AND FIFTY THOUSAND POUNDS)
sterling in our draw #378 held on Month Of September, 2007
Please contact our Fiduciary Officer Mr. John M Mall
via email below When contacting him,
please provide him with your secret pin code UY8765TKH and
your reference number 26510460037/07 with your.
FULL NAME
/ANY SCANNED IDENTIFICATION/
ADDRESS/
PHONE NUMBERS
COUNTRY LOCATION/
OCCUPATION/
SEX/
AGE
MODE OF PAYMENT: Bank transfer or delivery of cheque by courier
(pls specify).

You are to keep your winning details/information
from the public to avoid fraudulent claim (IMPORTANT)
pending the transfer/claim by Winner
Email (fiduciaryenquires745@hotmail.co.uk)
TEL: +44 7024068770
TEL: +44 7045724434
congratulations from me and members
and staff of the International Promo
Yours faithfully,
Online Coordinator.

 [Sunny](#) | October 8th, 2007 at 11:41 pm

Hi there!


FELIZ CUMPLEAÑOS YAHOO! MAIL ESPERO QUE LA HAYAN PASADO BIEN Y MUCHOS EXITOS... ^ ^º O

 FRANK | October 10th, 2007 at 3:09 pm

A FEW DAYS AGO MY YAHOO MAIN PAGE CHANGED, WITHOUT WARNING. I DONT LIKE THE NEW LOOK AND AM REALLY UPSET ABOUT IT. THANKS FOR ALLOWING ME TO VENT. I AM CHANGING MY HOMEPAGE TO ANOTHER SITE BECAUSE OF THAT. THANKS AGAIN!

 Johnmael | October 10th, 2007 at 6:38 pm

HAPPY BIRTHDAY YAHOOO.....YOU DID A GREAT JOB IN ERVICING THE COMMUNITY.....HAPI ...HAPI ... B.....DAY.....

 sherry sausa | October 10th, 2007 at 10:36 pm

im filipina, i have to use my language.....

huli man ay magaling pagkat maihabol din..maligayang kaarawan YAHOO..salamat ng million at nandyan ka,mas mabilis at madali ang ugnayan ko sa mahal ko sa buhay at mga kaibigang malayo sakin..salamat sa diyos nilikha ka, patnubayan ka.higit kapang pagpalain, sa mabuting dulot mo sa makabagong pamumuhay.

 Andy | October 11th, 2007 at 5:19 am

I am very happy satisfied with using yahoo mail!

happy birthday, Yahoo!

 Terry | October 11th, 2007 at 11:27 am

I am thoroughly enjoying the new Yahoo Mail! I love the new features and the format. The reading panes, dragging and dropping mail into folders, and the tabs are fabulous! The tabs help me to work back and forth on several projects at once. The drag and drop is great because I no longer have to move my email. I can just drag my mail to the proper folder, as I read it, and be done.

I am stilling taking little tours and tips. I plan to using my Yahoo well and wisely. There are all of these little supprises. Once you think you have seen all of the changes, then you find something else improved!

Thank You Yahoo! Better Than Ever!

Sybil

 Jim | October 12th, 2007 at 4:57 pm

Thanks for the great job you do on e-mail. You do it better than any other I have ever used.

I originally had Hotmail as they were one of the first free services, but it got so bad I dumped them in favor of you.

Having said that, I have to ask whether you are in a competition with Netscape to see who can have the lamest web site in the universe. Are you?

“Ask Yahoo!” What is that all about?

By the time a subject appears, it's closed, and the answers posted may or may not have any truth in them.

Bix? What's with that?

Why the association with Intelius - those guys are a rip off.

And what is up with “Blender”? Who told those guys they know anything about music?

And what is it anyway with all the negativity? There is some in this message? Yes. Prompted by “Blender” and all the other idiots.

And so often there is a news item of interest, but when I click it, the page is unavailable.

Well, the e-mail is great.


Thanks.

 Le dao Phuong | October 13th, 2007 at 6:49 pm


Happybirthday!

 [fred](#) | October 14th, 2007 at 6:45 pm


congratulations and happy birthday to Y! mail.

 [lathachethu](#) | October 14th, 2007 at 8:42 pm

hi..... yahoo.....! :)
happy birthday..... :)

 [lathachethu](#) | October 14th, 2007 at 8:44 pm

good luck..... yahoo..... !:)

 [Chan](#) | October 16th, 2007 at 6:28 am

I feel that Yahoo Mail! still lags far behind Google Mail (gmail) in many ways. Even with the free unlimited storage, do you think it will entice more people to sign up?

Disadvantages of Yahoo Mail:

The new interface is abit slow as compared to Gmail's. I can still accept that to a certain extent.


The way documents are attached to an email is horrible. Why can't we follow Gmail? Yahoo should let users attach all the files at once before we send. Thus, if we are sending few large files, we only have to wait when it uploads all the attached files, instead of waiting while uploading them one by one.

Yahoo Mail should also remove taglines on outgoing email especially when it is in html format. The email when received by the other party will thus not look presentable.

I think Yahoo Mail should allow the users to have more control over their emails. Pop and IMAP should be provided free of charge. Attachment size should be increased. In fact, Yahoo Mail should be totally free. Yahoo being a large company may obtain their revenues from other parts of their businesses.

Users are able to outweigh the pros and cons, and if we compare between Yahoo and Gmail, the pros outweigh the cons, users will obviously choose Yahoo over Gmail.

I wished I was working with Yahoo Mail, and thus able to implement changes to make the best email service ever!

 [Mariano Rentería](#) | October 16th, 2007 at 2:01 pm

Digin in my head I realize that I must have been one of the first users, my mail is 10 or 9 years old. I live in México but my account is in English not local, and I really like it, its simply the best.

Since always I've been 100% Yahoo! I bet that I'm the mexican that makes you more publicity here, you must even pay me jejeje, but I do it for you, I admit that also have a Google and Hotmail account, but I really dont use it...


I'm happy to see how tou have grow and you keep developing lots of services.

As a programmer I can said that you have make an execlent job, I wish you put more of you into Mexico because you start strong here but then everything went slow, now Google is trying has opened offices here, and have make lots of things. I really think that you should make more local content, I offer myself as employee because I know you, but I've seen local jobs. Despite of that, I will continue been 100% Yahoo! and keep making marketing for free to you cause I belive in the product, but I really wish some services could exist for Mexico too in our local language, just to win more customers. How about a section of technology in Spanish? I would love to

Yahoo! rules!!

 [CAROL GEBHART](#) | October 17th, 2007 at 8:38 am

I think Yahoo Mail is great! I like the mail plus and stationary also. I like the way my incoming mail is set up on mail beta. You all have done alot of work on this and I am impressed. Congradulations!

 [Floyd](#) | October 17th, 2007 at 10:14 am


I agree with Chan, above.

As a former paying user of Yahoo, I felt slapped in the face by ads being inserted into the version I was paying for (via AT&T). I left the service (AT&T included), and won't be back to using Yahoo Mail until ads are out of the interface. The free account (old style) is managable, but not in the new beta look. The collapsability of the ad is a joke, since it pops right back out to annoy me further the next time I click on anything. Satisfy your users first. Then you'll have the eyeballs advertisers want. And get a suggestion board for Y Mail already. People have no place to do this, and your Y Mail rep is perpetually AFK. Take this product seriously, please.

 [A R SADAGOPAN](#) | October 20th, 2007 at 6:33 pm

Wish yor a happy birthday(though belated)to Yahoo and the organisers for their major valuable contribution to the humanity. There is a saying in Tamil


“yathum ure yavarum kelir”. The meaning of it is ‘ALL ARE OUR VILLAGES AND ALL MANKIND ARE OUR FRIENDS’. This was made possible today because of the technological development and more so by the Institutions like you who made theory into practical.
wish you all the best in all your endeavours.
A R SADAGOPAN

 [Raznok](#) | October 22nd, 2007 at 10:21 am

Happy birthday to Yahoo!!!!
Hope Yahoo adds more and more features .. and the yahoo beta version is one of its kind ...

But i feel yahoo should integrate its own web-services just like Google does.. when ever u login to ur gmail account .. you are automatically signed into orkut , blogger, picasa and maps profiles..

anyways .. happy birthday yahoo!!!


 [nick](#) | October 24th, 2007 at 8:13 am

how about some IMAP?


 [Dr. Michael Rivera](#) | October 26th, 2007 at 5:34 pm

It has been 10 yrs of enjoymnet with Yahoo. Today also is my Birthday.

Dr. Michael Rivera
shepherd1046@yahoo.com

 [Stephen](#) | October 31st, 2007 at 10:35 am


Gmail just introduced *free* IMAP, something that people have been asking from Yahoo! for years. How can Yahoo! continue to ignore the users like this? It's time to add IMAP immediately. Also, you need to announce the fact that it's coming so paid users to Yahoo! mail (like me) don't jump ship when our next payment comes due.

 [Chan](#) | November 1st, 2007 at 12:34 am


Yes. I just realised too that Gmail is now offering free IMAP on top of POP access. This means that Gmail is giving its users more control over their email.

The question is, why must Yahoo be tailing behind Google? I thought it should be the other way round since Yahoo is around for more than 10 years.


Initially, Yahoo Mail has IMAP, which was for Apple Iphone users, but they took it away, which was the most stupidest thing Yahoo has done. I think Yahoo Mail should heed the requests of the millions of Yahoo users around the world. I don't see how Yahoo can increase its advertising revenue when users are now moving over to Gmail.

 [Paul Braun](#) | November 2nd, 2007 at 9:36 am

Yahoo needs a video email option. It is great for the user and good for Yahoo as it creates additional screen real estate for ads. I should know...I am the president of the company that does it for the US Army and others. Please pass this to John Kremer. Thanks.

 [Muizz](#) | November 6th, 2007 at 6:15 am


The all new Yahoo! Mail continuously serves as inspiration to me. Your developers are doing very well. Could you make some adjustments to the time displayed beside messages. It's a little headache having to calculate the time zone thing. The Chat feature right inside mail is also very cool. Well done.

 [v.p. gangadharan](#) | November 22nd, 2007 at 2:04 am


I received a message that I have one out of 100 prizezs of USD 9500/- EACH IN CONNECTION WITH yAHOO 12 YEARS CELEBRATIONS. I sent the reqwuired etails, but no reply reeived after that. Is it a scam. Can you kindly confirm to me.
My email id is : palakkalgangadharan@yahoo.com

Thanks and regards,

V.P. Gangadharan

 [hoza](#) | December 18th, 2007 at 7:57 am

happy BIRth day

 [David Christie](#) | December 25th, 2007 at 2:15 pm

I received a message that I have one out of 100 prizezs of USD 9500/- EACH IN CONNECTION WITH YAHOO 12 YEARS CELEBRATIONS. Is it a scam. Can you kindly confirm to me.

Notes: Please note that Yahoo! may, in our sole discretion, reject comments for any reason we deem appropriate. Links of value to readers are welcome, but please use them sparingly - wield spam and you're banished forever.

This is a moderated site and comments will appear if and when they are approved. We will review the queue several times daily, so please don't resubmit if your comment doesn't appear immediately.

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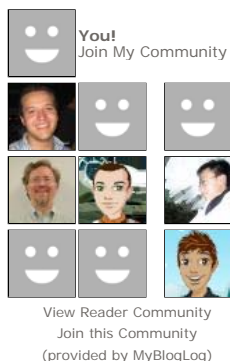
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